

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

On The Beach Boutique, LLC, et al.,

Case No. 3:22 CV 578

Plaintiffs,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Melissa Haynes,

Defendant.

This Court held an Initial Telephone Conference on July 6, 2022. Counsel present: Jeanette Braun and Matt Kemp for Plaintiffs; Todd Fichtenberg and Matt Schonauer for Defendant.

Counsel have begun to discuss whether Count I of the Amended Complaint (Doc. 10) alleging copyright infringement under 17 U.S.C. § 512 preempts the remaining Counts in the Complaint alleging state law claims (deceptive trade practices, tortious interference with contract, defamation, false light, and IIED). Counsel had an email exchange and are continuing to discuss. If no agreement can be reached, Defense counsel shall forward the email exchange between counsel to Chambers (zouhary_chambers@ohnd.uscourts.gov) after which this Court will set a phone conference to discuss a possible briefing schedule on Defendant's Motion to Dismiss the state law claims.

Because at least the federal claim will remain pending, this Court attaches a form Report of the Parties to be completed by counsel setting forth a case schedule. This Report shall be filed by **July 28, 2022**. Until there is a decision by counsel or a ruling by this Court on Defendant's preemption argument, Defendant's Answer to the Complaint is stayed.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

July 7, 2022